



Journal of the House

State of Indiana

118th General Assembly

Second Regular Session

Tenth Day

Monday Afternoon

January 27, 2014

The invocation was offered by Minister Johnny Henderson of the Lost River Missionary Baptist Church in Campbellsburg, the guest of Representative Steven J. Davisson.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Sheila A Klinker.

The Speaker ordered the roll of the House to be called:

Arnold	Kubacki
Austin	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Battles	Lucas
Bauer	Lutz
Behning	Macer
Beumer	Mahan
Braun	Mayfield
C. Brown	McMillan
T. Brown	McNamera
Burton	Messmer
Candelaria Reardon	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cox	Neese
Culver	Negele
Davisson <input type="checkbox"/>	Niemeyer <input type="checkbox"/>
DeLaney	Niezgowski
Dermody	Ober
DeVon	Pelath
Dvorak	Pierce
Eberhart	Porter
Errington	Price
Forestal	Pryor
Friend	Rhoads
Frizzell	Richardson
Frye	Riecken
GiaQuinta	Saunders
Goodin <input type="checkbox"/>	Shackleford
Gutwein	Slager
Hale	Smaltz
Hamm	M. Smith
Harman	V. Smith
Harris	Soliday
Heaton	Speedy
Heuer	Stemler <input type="checkbox"/>
Huston	Steuerwald <input type="checkbox"/>
Karickhoff	Sullivan
Kersey	Summers
Kirchhofer	Thompson
Klinker	Torr
Koch	Truitt

Turner
Ubelhor
VanDenburgh
VanNatter
Washburne

Wesco
Volkins
Zent
Ziemke
Mr. Speaker

Roll Call 50: 95 present; 5 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 28, 2014, at 1:30 p.m.

SLAGER

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker Your Committee on Ways and Means, to which was referred House Bill 1001, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1001 as introduced.)

Committee Vote: Yeas 13, Nays 8.

T. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Ways and Means, to which was referred House Bill 1002, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1002 as introduced.)

Committee Vote: Yeas 14, Nays 0.

T. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1027, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. P.L.288-2013, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION 75. (a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.

(b) This SECTION applies to the March 1, 2011, and March 1, 2012, assessment dates.

(c) As used in this SECTION, "eligible property" means either of the following:

(1) A vacant parcel of real property in Marion County that:

(A) consists of not more than two (2) acres;

(B) was acquired after March 1, 2012, but before May 1, 2012; and

(C) is owned, is occupied, and will be used for educational, literary, scientific, religious, or charitable purposes described in IC 6-1.1-10-16.

(2) A parcel of real property in Marion County that:

(A) is owned, occupied, and used for educational, literary, scientific, religious, or charitable purposes described in IC 6-1.1-10-16; and

(B) was redeemed after being sold for delinquent taxes in 2012.

(d) As used in this SECTION, "qualified taxpayer" refers to a ministry or other religious organization that:

(1) is exempt from federal income taxes; and

(2) owns an eligible property.

(3) acquired the eligible property after the 2012 assessment date; and

(4) redeemed the eligible property after it was sold for delinquent taxes in 2012.

(e) A qualified taxpayer may, before September 1, 2013, 2014, file with the county assessor of Marion County a property tax exemption application and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 and this SECTION for the eligible property for:

(1) the March 1, 2011, assessment date;

(2) the March 1, 2012, assessment date; or

(3) both the March 1, 2011, and March 1, 2012, assessment dates.

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been timely filed.

(g) If a qualified taxpayer demonstrates in the property tax exemption application filed under subsection (e) or by other means the county assessor finds that the eligible property would have qualified for an exemption under IC 6-1.1-10-16 for the March 1, 2012, an assessment date described in subsection (e) if the property tax exemption application had been filed under IC 6-1.1-11 in a timely manner for the March 1, 2012, that assessment date:

(1) the property tax exemption for the eligible property shall be allowed and granted for the March 1, 2012, that assessment date by the county assessor and county auditor of Marion County without need of any further ruling or action by the county property tax assessment board of appeals of Marion County or by the Indiana board of tax review; and

(2) the qualified taxpayer is not required to pay any property taxes, penalties, or interest with respect to the eligible property for the March 1, 2012, that assessment date.

(h) To the extent the qualified taxpayer has:

(1) paid any property taxes, penalties, or interest with respect to the eligible property for the March 1, 2011, an assessment date described in subsection (e); or

(2) paid to redeem the property under IC 6-1.1-24 and IC 6-1.1-25;

the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2013, 2014, is considered timely filed. The county auditor may make a determination that any refund due under this SECTION shall be paid in two (2) equal annual installments.

(i) The exemption allowed by this SECTION shall be applied without need of any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of Marion County or by the Indiana

board of tax review.

(j) (i) This SECTION expires July 1, 2017."

Renumber all SECTIONS consecutively.

(Reference is to HB 1027 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 17, nays 0.

T.BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1028, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning education.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "adult high school" means a charter school that will serve students who:

(1) are at least eighteen (18) years of age; and

(2) have dropped out of high school before receiving a diploma.

(b) As used in this SECTION, "charter school" has the meaning set forth in IC 20-24-1-4.

(c) As used in this SECTION, "commission" refers to the commission on education established by IC 2-5-38.1-2.

(d) As used in this SECTION, "office" refers to the office of management and budget established by IC 4-3-22-3.

(e) The office shall study the following topics:

(1) The number of adult high schools operating in Indiana.

(2) The location of each adult high school operating in Indiana.

(3) The effectiveness of adult high schools in preparing students for joining the workforce.

(4) Educational alternatives for students who:

(A) are at least eighteen (18) years of age; and

(B) have dropped out of high school before receiving a diploma.

(5) The potential impact upon the state budget of expanding the availability of adult high schools and other educational alternatives studied under subdivision (4).

(6) Other adult education topics that the office determines should be studied for the purpose of making recommendations to the commission.

(f) The office shall submit its findings and recommendations, if any, to the commission in an electronic format under IC 5-14-6 before November 1, 2014.

(g) The commission shall:

(1) consider the report submitted by the office; and

(2) submit its findings and recommendations, if any, to the legislative council in an electronic format under IC 5-14-6 before December 1, 2014.

(h) This SECTION expires January 1, 2015.

SECTION 2. An emergency is declared for this act.

(Reference is to HB 1028 as printed January 13, 2014.)

and when so amended that said bill do pass.

Committee Vote: yeas 15, nays 0.

T. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1039, has had the same under

consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture.

Page 3, delete lines 18 through 19.

Page 3, delete lines 32 through 38.

Renumber all SECTIONS consecutively.

(Reference is to HB 1039 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: yeas 18, nays 0.

T. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1040, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 19, delete "or conditionally accredited as a candidate".

Page 3, line 38, after "institution" insert "**or a postsecondary proprietary educational institution described in IC 21-7-13-6(a)(5)**".

Page 3, line 41, delete ";" and insert "**or the postsecondary proprietary educational institution;**".

Page 4, line 2, delete "," and insert "**or the postsecondary proprietary educational institution,**".

Page 4, line 5, delete "or is a postsecondary proprietary educational".

Page 4, line 6, delete "institution described in IC 21-7-13-6(a)(5)".

Page 4, line 39, delete "," and insert "**or a postsecondary proprietary educational institution described in IC 21-7-13-6(a)(5),**".

Page 5, line 1, delete "or is a postsecondary" and insert ",".

Page 5, delete line 2.

Page 5, line 3, delete "IC 21-7-13-6(a)(5),".

(Reference is to HB 1040 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1042, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 7. IC 9-19-13-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 3.5. A school corporation or nonpublic school that uses a video recording device on a school bus in accordance with section 1(b) of this chapter must ensure that the technology of the video recording device:**

(1) **activates only when the amber indicator and warning lights begin to operate and the arm signal device extends indicating that the school bus is about to stop to let students on or off; and**

(2) **deactivates only when the red indicator and warning lamps indicating that the service door of the school bus is closed cease to operate and the arm signal device is retracted."**

Page 4, line 2, after "chapter." insert "**The bureau may not assess points under the point system for a violation of section 1 of this chapter that was detected by means of a recorded image recorded by a video recording device."**

Page 5, delete lines 14 through 16.

Page 5, line 17, delete "(f)" and insert "(e)".

Renumber all SECTIONS consecutively.

(Reference is to HB 1042 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 4.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1051, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1051 as introduced.)

Committee Vote: Yeas 7, Nays 0.

CLERE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1056, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "The" and insert "**(a) Except as provided in subsection (b), the**".

Page 1, line 6, delete "who attends or participates" and insert "**if the student or a member of the student's household participates or exhibits**".

Page 1, after line 13, begin a new paragraph and insert:

"(b) In order for a student to receive an excused absence under subsection (a), the student must be in good academic standing, as determined by the school corporation."

(Reference is to HB 1056 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1062, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 9, after "debt" insert "**originally**".

Page 1, line 10, after "debt" insert "**originally**".

Page 1, line 15, after "debt" insert "**originally**".

Page 2, between lines 8 and 9, begin a new paragraph and insert:

"(c) This subsection applies to debt that is refinanced by a political subdivision. If the terms of the refinancing extend the period to repay the debt beyond the repayment period of the original debt, the obligation of the political subdivision to make a payment in a calendar year beginning after December 31 of the calendar year in which the original debt would have been retired is considered a debt originally incurred on the date that the refinancing is closed."

(Reference is to HB 1062 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

T. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1075, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 31 through 35, begin a new paragraph and insert:

"(b) The interest rate established under subsection (a) may not be less than the rate determined in STEP THREE of the following formula:

STEP ONE: Determine the greater of:

(A) zero (0); or

(B) the rate of return earned by the retirement allowance accounts of the public employees' retirement fund and the teachers' retirement fund for the three (3) months immediately preceding July 1.

STEP TWO: Determine the sum of:

(A) the STEP ONE result; plus

(B) the average daily interest rate on ten (10) year United States Treasury bills for the three (3) months immediately preceding July 1.

STEP THREE: Determine the product of:

(A) the STEP TWO result; multiplied by

(B) sixty-six hundredths (0.66)."

(Reference is to HB 1075 as printed January 14, 2014.) and when so amended that said bill do pass.

Committee Vote: yeas 15, nays 5.

T. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Roads and Transportation, to which was referred House Bill 1080, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1080 as introduced.)

Committee Vote: Yeas 8, Nays 2.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Local Government, to which was referred House Bill 1107, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1107 as introduced.)

Committee Vote: Yeas 11, Nays 0.

NEESE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1139, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, after line 7, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE JULY 1, 2014] (a) Before September 1, 2014, the state department of health shall, with assistance from the center for deaf and hard of hearing education:

(1) determine the number of Indiana residents who are less than nineteen (19) years of age and are hearing impaired; and

(2) determine the estimated cost for:

(A) a state program; and

(B) a health insurance requirement;

to provide hearing aids to the individuals identified in subdivision (1).

(b) The state department of health shall report its findings under this SECTION to the health finance commission before October 15, 2014.

(c) This SECTION expires December 31, 2014."

Renumber all SECTIONS consecutively.

(Reference is to HB 1139 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 0.

CLERE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Local Government, to which was referred House Bill 1178, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1178 as introduced.)

Committee Vote: Yeas 10, Nays 1.

NEESE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Roads and Transportation, to which was referred House Bill 1180, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows.

Page 5, line 22, after "that" insert **"is propelled by alternative fuel and"**.

(Reference is to HB 1180 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Education, to which was referred House Bill 1181, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1181 as introduced.)

Committee Vote: Yeas 10, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1190, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 3. IC 16-18-2-277, AS AMENDED BY P.L.61-2009, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 277. (a) "Person in charge of interment", for purposes of IC 16-21-11, has the meaning set forth in IC 16-21-11-3.

(b) "Person in charge of interment", for purposes of IC 16-37-1 and IC 16-37-3, has the meaning set forth in IC 16-37-3-2."

Page 2, line 4, delete "JULY" and insert "OCTOBER".

Page 2, line 11, delete "a fetus" and insert "**an unborn child, irrespective of gestational age,**".

Page 2, line 13, delete "fetus's" and insert "**unborn child's**".

Page 2, between lines 14 and 15, begin a new paragraph and insert:

"Sec. 3. As used in this chapter, "person in charge of interment" means a person who places or causes to be placed the body of a miscarried fetus who has a gestational age of less than twenty (20) weeks of age or the ashes, after cremation, in a grave, vault, urn, or other receptacle, or who otherwise disposes of the body or ashes."

Page 2, line 15, delete "3." and insert "4."

Page 2, line 15, delete "section 4" and insert "sections 5 and 6".

Page 2, line 15, delete "a parent" and insert "**the parent or parents**".

Page 2, line 18, delete "4." and insert "5."

Page 2, line 19, delete "miscarried her fetus at" and insert "**her miscarried fetus in**".

Page 2, line 21, delete "a parent" and insert "**the parent or parents**".

Page 2, line 23, after "remains of the" insert "**miscarried**".

Page 2, line 24, delete "a parent" and insert "**the parent or parents**".

Page 2, line 26, after "the" insert "**miscarried**".

Page 2, line 27, after "inform the" insert "**parent or**".

Page 2, line 28, after "of the" insert "**miscarried**".

Page 2, line 29, delete "A parent" and insert "**The parent or parents**".

Page 2, line 30, delete "in writing".

Page 2, line 31, delete "the fetus not more than forty-eight (48) hours" and insert "**the miscarried fetus**".

Page 2, line 32, delete "(a)." insert "**(a) but before the parent of the miscarried fetus is discharged from the health care facility. The health care facility shall document the parent's decision in the medical record.**".

Page 2, line 33, delete "5." and insert "6. (a)".

Page 2, line 33, delete "a parent chooses" and insert "**the parent or parents choose**".

Page 2, line 35, delete "is" and insert "**or parents are**".

Page 2, after line 36, begin a new paragraph and insert:

"(b) If the parent or parents choose a means of final disposition that provides for the interment of a miscarried fetus who has a gestational age of at least twenty (20) weeks of age, the requirements under IC 16-37-3 apply.

(c) Notwithstanding any other law, the parent or parents whose miscarried fetus has a gestational age of less than twenty (20) weeks of age may choose a means of final disposition that provides for the cremation or the interment of the miscarried fetus. If the parent or parents choose the cremation or interment of the miscarried fetus, the local health officer shall provide the person in charge of interment with a permit for the disposition of the body. A certificate of stillbirth is not required to be issued for a final disposition under this subsection.

(d) IC 23-14-31-26, IC 23-14-55-2, IC 25-15-9-18, and IC 29-2-19-17 concerning the authorization of disposition of human remains apply to this section."

Renumber all SECTIONS consecutively.

(Reference is to HB 1190 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 0.

CLERE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Agriculture and Rural Development, to which was referred House Bill 1199, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1199 as introduced.)

Committee Vote: Yeas 11, Nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Ways and Means, to which was referred House Bill 1222, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1222 as printed January 17, 2014.)

Committee Vote: Yeas 18, Nays 0.

T. BROWN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1279, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 22 through 24, begin a new paragraph and insert:

"SECTION 5. IC 9-13-2-75, AS AMENDED BY P.L.262-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 75. "Identification number" ~~for purposes of IC 9-17-4-18, has the meaning set forth in IC 9-17-4-18.~~ means a set of numbers, letters, or both numbers and letters that is assigned to a motor vehicle or motor vehicle part by:

(1) a manufacturer of motor vehicles or motor vehicle parts; or

(2) a governmental entity to replace an original identification number that is destroyed, removed, altered, or defaced."

Page 11, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 36. IC 9-19-9-7, AS AMENDED BY P.L.54-2009, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. A person who

(1) violates this chapter; or

(2) violates 49 U.S.C. 32709 (as in effect January 1, 1995) commits a deceptive act and is subject to a civil penalty of not more than one thousand five hundred dollars (\$1,500) for each violation in addition to other remedies available under this chapter and IC 24-5-0.5. The attorney general, acting in the name of the state, has the exclusive right to petition for recovery of such a penalty, and the penalty may be recovered only in an action brought under IC 24-5-0.5-4(c)."

Page 13, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 45. IC 9-21-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) The Indiana department of transportation shall place and, except as otherwise provided in this section **and IC 8-23-2-15**, maintain traffic control devices conforming to the state manual and specifications upon all state highways, including the state maintained routes through a city or town, as necessary to indicate and to carry out this article or to regulate, warn, or guide traffic.

(b) A local authority may not place or maintain a traffic control device upon a highway in the state highway system or the state maintained routes through a city or town until the authority has received written permission from the Indiana department of transportation.

(c) If the department determines, upon the basis of an engineering and traffic investigation, that any traffic control signal is not necessary for the safe, convenient, economical, and orderly movement of traffic, the signal shall be removed by the Indiana department of transportation and be returned to the authority responsible for the signal's erection. If the Indiana department of transportation determines, based on an engineering and traffic investigation, that a traffic control signal now in place is necessary for the safe, convenient, economical, and orderly movement of traffic, the signal must remain in place, and the Indiana department of transportation shall affix a tag or seal to the signal showing that the signal has been approved by the Indiana department of transportation."

Page 14, line 25, reset in roman "misdemeanor."

Page 14, line 25, delete "infraction."

Page 17, line 30, after "department," insert **"including a volunteer fire department,"**.

Page 25, reset in roman line 37.

Page 25, line 38, reset in roman "(2)".

Page 25, line 38, delete "(1)".

Page 25, line 40, reset in roman "(3)".

Page 25, line 40, delete "(2)".

Page 28, line 37, delete "issued under IC 9-24-16".

Page 28, line 37, after "issued" insert **"under IC 9-24"**.

Page 28, delete lines 39 through 42.

Page 29, delete lines 1 through 2.

Page 29, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 81. IC 9-24-8-6 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 6: In addition to any other penalty, the bureau:

(1) shall revoke the motorcycle learner's permit of a person who is convicted of operating a motorcycle under the influence of alcohol; and

(2) may not issue a motorcycle learner's permit or motorcycle endorsement to a person referred to in subdivision (1) for at least (1) year after the date of the person's conviction."

Page 29, line 10, delete "IC 9-24-16" and insert **"IC 9-24"**.

Page 29, line 13, delete "IC 9-24-16" and insert **"IC 9-24"**.

Page 30, line 3, strike "at least ninety (90) days and".

Page 31, line 38, delete "license" and insert **"privileges"**.

Page 43, delete lines 24 through 26, begin a new paragraph and insert:

"SECTION 117. IC 9-29-9-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 14. The fee for a ~~restricted~~ **specialized** driving ~~privilege~~ permit issued under IC 9-24-15 is ten dollars (\$10)."

Page 43, line 34, strike "reasonable" and insert **"probable"**.

Page 43, delete lines 38 through 42, begin a new paragraph and insert:

"SECTION 119. IC 9-30-4-1, AS AMENDED BY P.L.85-2013, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) Upon any reasonable ground appearing on the records of the bureau and **specified in rules adopted under subsection (b)**, the bureau may do the following:

(1) Suspend or revoke the current driving privileges or driver's license of any person.

(2) Suspend or revoke the certificate of registration and license plate for any motor vehicle.

(b) **The bureau shall adopt rules under IC 4-22-2 to specify reasonable grounds for suspension or revocation permitted under subsection (a).**"

Page 44, delete lines 1 through 2.

Page 44, line 36, reset in roman "(b) The bureau shall suspend or revoke".

Page 44, line 36, after "hearing" reset in roman "the".

Page 44, reset in roman lines 37 through 42.

Page 45, reset in roman lines 1 through 3.

Page 45, line 6, after "(4)" insert **"(3)"**.

Page 45, line 6, reset in roman "Three (3) charges of criminal recklessness involving the use".

Page 45, reset in roman line 7.

Page 45, line 8, after "(5)" insert **"(4)"**.

Page 45, line 8, reset in roman "Failure to stop and give information or assistance or failure to".

Page 45, reset in roman lines 9 through 11.

Page 45, line 17, reset in roman "(c)".

Page 45, line 17, delete "(b)".

Page 45, line 40, delete "(c)" and insert **"(d)"**.

Page 46, line 1, strike "(d)" and insert **"(e)"**.

Page 47, line 41, strike "(e)" and insert **"(f)"**.

Page 48, line 2, strike "(f)" and insert **"(g)"**.

Page 48, line 13, strike "(g)" and insert **"(h)"**.

Page 48, line 21, strike "(h)" and insert **"(i)"**.

Page 49, line 39, strike "probationary" and insert **"specialized"**.

Page 50, line 5, strike "probationary" and insert **"specialized"**.

Page 50, line 7, strike "probationary" and insert **"specialized"**.

Page 50, line 8, strike "probationary" and insert **"specialized"**.

Page 50, line 11, strike "probationary" and insert **"specialized"**.

Page 50, line 17, strike "probationary" and insert **"specialized"**.

Page 53, line 7, strike "probationary" and insert **"specialized"**.

Page 53, line 8, strike "probationary" and insert **"specialized"**.

Page 55, between lines 16 and 17, insert **"(9) Resisting law enforcement under IC 35-44.1-3-1."**

Page 55, line 17, delete "(9)" and insert **"(10)"**.

Page 67, line 24, reset in roman "operates a".

Page 67, reset in roman lines 25 through 26.

Page 67, line 27, reset in roman "or IC 9-12-3-1 (repealed July 1, 1991)".

Page 68, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 141. IC 9-30-13-1 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 1: For a person who uses a motor vehicle to commit recklessness under IC 35-42-2-2, the judge of the court in which the person is convicted shall recommend that the driving privileges of the person be suspended for not less than sixty (60) days and not more than two (2) years. If the court fails to recommend a fixed term of suspension, or recommends a fixed term that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension required under this section.

SECTION 142. IC 9-30-13-2 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 2: For a person who uses a motor vehicle to commit obstruction of traffic under IC 35-44.1-2-13, the judge of the court in which the person is convicted may recommend that the driving privileges of the person be suspended for not less than sixty (60) days and not more than two (2) years. If the court recommends a fixed term of suspension that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension under this section.

SECTION 143. IC 9-30-13-3 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 3: For a person who uses a motor vehicle to commit criminal mischief under IC 35-43-1-2, the judge of the court in which the person is convicted may recommend that

the driving privileges of the person be suspended for not less than sixty (60) days and not more than two (2) years. If the court recommends a fixed term of suspension that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension under this section.

SECTION 144. IC 9-30-13-4 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 4: (a) If a person commits any of the following offenses, the court that convicted the person shall recommend the suspension of the person's driving privileges for a fixed period of at least two (2) years and not more than five (5) years:

(1) Involuntary manslaughter resulting from the operation of a motor vehicle (IC 35-42-1-4);

(2) Reckless homicide resulting from the operation of a motor vehicle (IC 35-42-1-5);

(b) If the court fails to recommend a fixed term of suspension, or recommends a fixed term that is less than the minimum term required by statute, the bureau shall impose the minimum period of suspension required under this section."

Page 68, strike line 26.

Page 68, line 27, strike "under".

Page 68, line 27, delete "IC 9-30-16".

Page 68, line 27, strike "if the person otherwise qualifies".

Page 68, strike lines 28 through 34.

Page 68, strike line 42.

Page 69, strike lines 1 through 2.

Page 69, line 3, strike "of suspension in accordance with the".

Page 69, line 3, delete "order".

Page 69, line 3, strike "of the".

Page 69, line 4, strike "court".

Page 71, line 7, delete "section," and insert "chapter,".

Page 72, line 12, delete "The suspension of driving privileges under this" and insert "Except as provided in subsection (b), the following are ineligible for a specialized driving permit under this chapter:

(1) A person who has never had a valid Indiana driver's license.

(2) A person who holds a commercial driver's license.

(3) A person who has refused to submit to a chemical test offered under IC 9-30-6."

Page 72, delete line 13, begin a new paragraph and insert:

"(b) This chapter applies to an individual who:

(1) held a commercial driver's license at the time the individual committed an offense for which the operation of a motor vehicle was an element of the offense;

(2) no longer holds a commercial driver's license; and

(3) subsequently was issued an operator's license, chauffeur's license, or public passenger chauffeur's license."

Page 72, line 14, delete "(b)" and insert "(c)".

Page 72, line 19, delete "(c)" and insert "(d)".

Page 72, line 24, delete "(d)" and insert "(e)".

Page 73, between lines 3 and 4, begin a new paragraph and insert:

"(c) If a court fails to suspend a person's driving privileges for at least one (1) year under this section, the bureau shall suspend the person's driving privileges for one (1) year."

Page 73, line 23, delete "SR-16" and insert "proof of future financial responsibility".

Page 73, line 29, delete "law enforcement officer." and insert "police officer."

Page 83, between lines 4 and 5, begin a new paragraph and insert:

"(d) A person required to be licensed under this chapter that fails to register in accordance with the schedule set forth in subsection (a) commits a Class A infraction."

Page 101, line 29, after "1." insert "(a)".

Page 101, line 29, delete "motor".

Page 101, line 30, delete "motor".

Page 101, line 31, delete "motor vehicle, motor vehicle" and insert "vehicle, vehicle".

Page 101, between lines 38 and 39, begin a new paragraph and insert:

"(b) A person who counterfeits or falsely reproduces a certificate of title for a motor vehicle, semitrailer, or recreational vehicle with intent to:

(1) use the certificate of title; or

(2) permit another person to use the certificate of title; commits a Class B misdemeanor."

Page 102, line 29, strike "driver's license" and insert "driving privileges".

Renumber all SECTIONS consecutively.

(Reference is to HB 1279 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1300, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 20, after "However," insert "not more than once".

Page 5, line 28, after "However," insert "not more than once".

Page 5, line 35, after "However," insert "not more than once".

Page 6, line 12, after "However," insert "not more than once".

(Reference is to HB 1300 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1303, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-27-3-5, AS ADDED BY P.L.1-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The committee shall adopt and enforce rules under IC 4-22-2 to require that each new school bus operated by or on behalf of a school corporation bear the number of the school district on the back of the school bus in black letters that are at least four (4) inches and not more than six (6) inches high.

(b) The committee shall adopt and enforce rules under IC 4-22-2 to require that each school bus placed into service for the first time by a school corporation or nonpublic school bear an indication on the back of the school bus in black letters that the school bus is required to stop at all railroad crossings."

Page 2, after line 12, begin a new paragraph and insert:

"SECTION 4. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 1303 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1319, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 13 through 42.

Delete page 4.

Page 5, delete lines 1 through 11.

Re-number all SECTIONS consecutively.

(Reference is to HB 1319 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1321, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "PORTFOLIO" and insert "**INNOVATION NETWORK**".

Page 2, line 5, delete ""portfolio" and insert ""**innovation network**".

Page 2, line 6, after "team." insert "**The term includes a charter school.**".

Page 2, line 10, delete "Portfolio" and insert "**Innovation Network**".

Page 2, line 11, delete "A portfolio" and insert "**An innovation network**".

Page 2, line 23, delete "a portfolio" and insert "**an innovation network**".

Page 2, line 23, delete "The term of the agreement may not be".

Page 2, delete line 24.

Page 2, line 26, delete "portfolio" and insert "**innovation network**".

Page 2, line 30, delete "portfolio" and insert "**innovation network**".

Page 2, line 33, delete "511 IAC 6.2-6-5.8, as it existed on January 1, 2014." and insert "**rules adopted by the state board.**".

Page 2, line 34, delete "portfolio" and insert "**innovation network**".

Page 2, line 34, delete "all".

Page 2, line 35, after "support," insert "**as determined in the agreement.**".

Page 2, delete lines 36 through 37.

Page 3, line 5, delete "portfolio" and insert "**innovation network**".

Page 3, line 7, delete "511 IAC 6.2-6-5.8, as it existed on" and insert "**rules adopted by the state board.**".

Page 3, delete line 8.

Page 3, line 9, delete "The portfolio school" and insert "**An innovation network school that is an eligible school described under IC 20-25.5-2-2(1)**".

Page 3, line 11, delete "portfolio" and insert "**innovation network**".

Page 3, line 17, delete "portfolio" and insert "**innovation network**".

Page 3, line 19, delete "portfolio" and insert "**innovation network**".

Page 3, line 20, delete "shall continue to" and insert "**may**".

Page 3, line 22, delete "supplies;" and insert "**supplies, as provided in the agreement established in section 2 of this**

chapter;".

Page 3, line 25, delete "portfolio" and insert "**innovation network**".

Page 3, line 26, delete "a".

Page 3, line 27, delete "portfolio" and insert "**an innovation network**".

Page 3, delete lines 31 through 32.

Page 3, line 38, delete "portfolio" and insert "**innovation network**".

Page 3, line 40, delete "a portfolio" and insert "**an innovation network**".

Page 3, line 42, before "school." delete "portfolio" and insert "**innovation network**".

Page 3, line 42, delete "a portfolio" and insert "**an innovation network**".

Page 4, line 6, delete "a portfolio" and insert "**an innovation network**".

Page 4, line 16, delete "a portfolio" and insert "**an innovation network**".

Page 4, line 18, delete "a portfolio" and insert "**an innovation network**".

Page 4, line 19, delete "portfolio school. The portfolio" and insert "**innovation network school. The innovation network**".

Page 4, line 23, delete "portfolio" and insert "**innovation network**".

(Reference is to HB 1321 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 4.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Education, to which was referred House Bill 1323, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1323 as introduced.)

Committee Vote: Yeas 11, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1347, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 39, delete "via electronic access." and insert "**to the public to inspect or copy in the electronic form.**".

Page 4, line 28, delete "via electronic access." and insert "**to the public to inspect or copy in the electronic form.**".

Page 5, line 6, delete "via electronic access." and insert "**to the public to inspect or copy in the electronic form.**".

(Reference is to HB 1347 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 0.

MCMILLIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Education, to which was referred House Bill 1349, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1349 as introduced.)

Committee Vote: Yeas 9, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Agriculture and Rural Development, to which was referred House Bill 1350, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1350 as introduced.)

Committee Vote: Yeas 10, Nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Select Committee on Government Reduction, to which was referred House Bill 1370, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1370 as introduced.)

Committee Vote: Yeas 9, Nays 0.

WOLKINS, Acting Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker Your Committee on Courts and Criminal Code, to which was referred House Bill 1384, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1384 as introduced.)

Committee Vote: Yeas 6, Nays 2.

MCMILLIN, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 15

Representative Koch introduced House Concurrent Resolution 15:

A CONCURRENT RESOLUTION honoring Commissioner Larry S. Landis.

Whereas, After more than 11 years of dedicated service to the Indiana Utility Regulatory Commission (IURC) and the citizens of Indiana, Commissioner Larry S. Landis retired;

Whereas, First appointed to the IURC on December 17, 2002, by Governor Frank O'Bannon, Commissioner Landis also served under Governors Kernan, Daniels, and Pence;

Whereas, Although Commissioner Landis has presided over hundreds of cases spanning all industries while serving on the IURC, he was most well-known for his work in the communications area;

Whereas, Due to his expertise in communications, Commissioner Landis was appointed to serve on numerous committees and boards, including the Federal-State Joint Board on Universal Service and the Federal-State Joint Conference on Advanced Telecommunications Services, of which he was state chair;

Whereas, Commissioner Landis was also a member of the Federal-State Joint Board on Jurisdictional Separations, served a second term as an at-large member of the National Association of Regulatory Utility Commissioners Board of

Directors, and co-chaired the Washington Action Committee;

Whereas, During his time with the Indiana Utility Regulatory Commission, Commissioner Landis "advocated for a light regulatory touch, even-handed regulation, technological neutrality, and for pro-competitive policies in communications"; and

Whereas, Larry S. Landis has served the people of Indiana honorably both in the private sector and as a public servant: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly expresses its sincerest gratitude to Larry S. Landis for his years of dedicated service to the state and its citizens and wishes him continued success and happiness in retirement.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Commissioner Larry S. Landis.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Merritt.

House Concurrent Resolution 21

Representative Negele introduced House Concurrent Resolution 21:

A CONCURRENT RESOLUTION recognizing the 60th anniversary of the addition of the words "under God" to the Pledge of Allegiance.

Whereas, On February 10, 1954, Michigan Senator Homer Ferguson introduced a bill in the United States Congress to amend the Pledge of Allegiance by adding the words "under God" to the text of the pledge;

Whereas, February 10, 1954, was chosen as the date to introduce the bill in recognition of the five-year anniversary of the imprisonment of Hungarian Cardinal Joseph Mindszenty who was imprisoned and tortured by Communists for his sermons exposing the Communist goal of eradication of all religions;

Whereas, Speeches were delivered in Congress by members of both political parties honoring Cardinal Mindszenty and emphasizing the threat posed to America by Communism;

Whereas, Upon introduction of the bill, Senator Ferguson commented, "I believe this modification of the pledge is important because it highlights one of the real fundamental differences between the free world and the Communist world, namely, belief in God," furthering that with, "Our nation is founded on a fundamental belief in God, and the first and most important reason for the existence of our government is to protect the God-given rights of our citizens. Spiritual values are every bit as important to the defense and safety of our nation as are military and economic values.";

Whereas, The vote to add "under God" to the United States Pledge of Allegiance was unanimous;

Whereas, On February 7, 1954, President Dwight D. Eisenhower became convinced that adding the words "under God" to the United States Pledge of Allegiance would be the right thing to do after hearing Reverend George Docherty preach that the phrase "nation under God" was first used in the Gettysburg Address because freedom "is defined by a fundamental belief in God";

Whereas, The first time the United States Pledge of Allegiance was recited was on Flag Day, June 14, 1954;

Whereas, It is proper and fitting to recognize and honor such an important date that strengthens the ties of history that bind us to our Christian heritage: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes February 10, 1954, as the anniversary of the addition of the words "under God" to the Pledge of Allegiance of the United States.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Waterman.

House Resolution 3

Representative Frye introduced House Resolution 3:

A HOUSE RESOLUTION honoring the many people and organizations who gave time, money, and support to the residents of Holton following the March 2, 2012, EF-3 tornado.

Whereas, On March 2, 2012, an EF-3 tornado struck the town of Holton, Indiana, causing severe damage to the surrounding area;

Whereas, The tornado damaged or destroyed at least 20 homes in this small town, and killed two men while six others suffered injuries;

Whereas, The tornado leveled some homes and knocked others off their foundations, while others suffered more minor damage;

Whereas, Numerous individuals, groups, and businesses came to assist those affected by nature's wrath;

Whereas, During times of hardship and despair, people respond in amazing ways;

Whereas, Mother Nature has shown her strength in Holton, but the citizens of this area, along with their fellow Hoosiers throughout the state, rose above this catastrophe and helped the residents begin to rebuild their homes and their lives; and

Whereas, The many people, groups, and businesses who volunteered their time and money to help those whose property was destroyed by the March 2, 2012, tornado deserve special recognition: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives wishes to express their deep gratitude and appreciation to those who stepped forward in time.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Holton Long-Term Recovery Group members Darin Kroger, Sally Morris, Rachel Grossman, Bob McCreary, Norm Knudson, and Richard Sproessig and the following groups - International Disaster Emergency Service, Hopewell Baptist Church, Catholic Charities/St. Johns, United Methodist Committee on Relief, Lilly Endowment Inc., Brethren Disaster, Mennonite Disaster Service, Napoleon State Bank, Holton Volunteer Fire Department, Ripley County Community Foundation, Holton Christian Church, CrossRoads Missions, Holton Police Department, Ripley County Sheriff's Department, Indiana State Police, Indiana Department of Homeland Security, and the American Red Cross.

The resolution was read a first time and adopted by voice vote.

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1006, 1035, 1045, 1061, 1070, 1114, 1116, 1143, 1170, 1198, 1219, 1224, 1233, 1235, 1245, 1246, 1258, 1268, 1269, 1332, 1335, 1358, 1378 and 1385.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 4:20 p.m. with the Speaker in the Chair.

Upon request of Representative Pelath, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 51: 88 present. The Speaker declared a quorum present.

HOUSE BILLS ON SECOND READING

House Bill 1003

Representative Braun called down House Bill 1003 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1003-1)

Mr. Speaker: I move that House Bill 1003 be amended to read as follows:

Page 12, line 37, after "shall" insert ":

(1)".

Page 12, line 38, delete "who" and insert "**from a list of three (3) candidates submitted by the governance committee; or**

(2) reject all of the candidates on the list submitted by the governance committee.

(b) If the governor rejects all of the candidates on the list submitted by the governance committee, the governor shall notify the chair of the governance committee.

(c) Not later than thirty (30) days after the date the governance committee receives the governor's notice under subsection (b), the governance committee shall submit to the governor a second list of three (3) new candidates for the position of INK executive director. The governor shall appoint the INK executive director from the second list of candidates submitted by the governance committee.

(d) The INK executive director".

Page 12, between lines 39 and 40, begin a new paragraph and insert:

"(e) Whenever a vacancy in the position of INK executive director occurs, the governor shall notify the chair of the governance committee. Not later than ten (10) days after the date the governance committee receives notice of the vacancy, the chair shall call a meeting of the governance committee to begin the process of filling the vacancy. Not later than thirty (30) days after the date the governance committee receives notice of the vacancy, the governance committee shall submit to the governor a list of three (3) candidates to fill the vacancy.

(f) The governance committee shall submit to the governor the initial list of three (3) candidates for INK executive director not later than August 15, 2014."

Page 12, line 40, delete "(b)" and insert "(g)".

Page 12, line 42, delete "(c)" and insert "(h)".

(Reference is to HB 1003 as printed January 24, 2014.)

BRAUN

Motion prevailed. The bill was ordered engrossed.

House Bill 1036

Representative Mahan called down House Bill 1036 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1036-1)

Mr. Speaker: I move that House Bill 1036 be amended to read as follows:

Page 2, between lines 35 and 36, begin a new paragraph and insert:

"(d) After June 30, 2015, a provider shall have at least thirty-five (35) square feet of floor space for each child in the care of the provider in the area of a facility where the provider operates a child care program."

(Reference is to HB 1036 as printed January 24, 2014.)

RIECKEN

Motion withdrawn. The bill was ordered engrossed.

House Bill 1134

Representative VanDenburgh called down House Bill 1134 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1134-1)

Mr. Speaker: I move that House Bill 1134 be amended to read as follows:

Page 1, line 11, delete "or".

Page 1, between lines 12 and 13, begin a new line block indented and insert:

"(3) the spouse of a candidate or individual who holds an elected office; or

(4) a volunteer worker of a candidate or individual who holds an elected office;"

(Reference is to HB 1134 as printed January 17, 2014.)

M. SMITH

Motion prevailed. The bill was ordered engrossed.

House Bill 1183

Representative Wolkins called down House Bill 1183 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1183-1)

Mr. Speaker: I move that House Bill 1183 be amended to read as follows:

Page 4, line 6, delete "A scrap metal processor, as defined in IC 13-11-2-196.5." and insert **"A solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal)."**

Page 4, delete lines 11 through 24, begin a new paragraph and insert:

"Sec. 9. (a) A recycler shall report the recycler's recycling activities under this section. A recycler may elect to report the recycler's recycling activities on an annual basis under subsection (b) or on a quarterly basis under subsection (c).

(b) A recycler that elects to report on an annual basis shall, in 2015 and each succeeding calendar year, before August 1, submit to the commissioner a completed recycling activity report concerning the recycling activities conducted by the recycler during the fiscal year that ended on the most recent June 30.

(c) A recycler that elects to report on a quarterly basis shall, for the July through September quarter of 2014 and each succeeding quarter, not more than thirty (30) days after the end of the quarter, submit to the commissioner a completed recycling activity report concerning the recycling activities conducted by the recycler during the quarter. A quarterly report submitted under this subsection must concern the recycling activities conducted by the recycler during the period of:

(1) July through September;

(2) October through December;

(3) January through March; or

(4) April through June.

(d) A recycler shall submit a separate recycling activity report under this section for each reporting period, whether annual or quarterly, for each facility:

(1) that was owned or operated by the recycler; and

(2) at which the recycler conducted recycling activities;

during the reporting period.

Sec. 10. (a) A person:

(1) who:

(A) is not required to submit a recycling activity report under section 9 of this chapter; but

(B) recycled recyclable materials during a fiscal year; or

(2) who:

(A) meets the definition of "scrap metal processing facility" set forth in IC 8-23-1-36;

(B) meets the definition of "automotive salvage recycler" set forth in IC 9-13-2-10;

(C) meets the definition of "disposal facility" set forth in IC 9-13-2-44;

(D) is engaged in business subject to IC 9-22-3;

(E) meets the definition of "automotive salvage rebuilder" set forth in IC 9-32-2-5;

(F) meets the definition of "scrap metal processor" set forth in IC 13-11-2-196.5;

(G) meets the definition of "core buyer" set forth in IC 25-37.5-1-0.2; or

(H) meets the definition of "valuable metal dealer" set forth in IC 25-37.5-1-1(b);"

Page 5, line 4, delete "A not" and insert "Not".

Page 6, line 22, delete "October" and insert "November".

Page 6, line 26, delete "good-faith" and insert "good faith".

Page 7, delete lines 4 through 6, begin a new line block indented and insert:

"(5) An analysis of alternatives to landfill disposal of municipal waste, including incineration and the use of waste-to-energy facilities, and the relationship of these alternatives to the recycling goal set forth in section 1 of this chapter."

Page 7, line 18, delete "April" and insert "June".

(Reference is to HB 1183 as printed January 16, 2014.)

MORRIS

Motion prevailed. The bill was ordered engrossed.

House Bill 1217

Pursuant to House Rule 143, the author of House Bill 1217, Representative Davisson, granted consent to the coauthor, Representative Lehe, to call the bill down for second reading. Representative Lehe called down House Bill 1217 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1217-1)

Mr. Speaker: I move that House Bill 1217 be amended to read as follows:

Page 1, between lines 5 and 6, begin a new line block indented and insert:

"(1) "Agency" refers to:

(A) the department of natural resources; or

(B) the department of environmental management.

(2) "Agencies" refers to:

(A) the department of natural resources; and

(B) the department of environmental management."

Page 1, line 6, delete "(1)" and insert "(3)".

Page 1, line 13, delete "(2)" and insert "(4)".

Page 2, line 8, delete "(3)" and insert "(5)".

Page 2, delete lines 11 through 42, begin a new paragraph

and insert:

"Sec. 2. The department of natural resources and the department of environmental management shall, not later than January 1, 2015, develop and implement a program under which the agencies will jointly accept and process applications for:

- (1) water quality certifications from the department of environmental management under IC 13-13-5-1(1) and Section 401 of the federal Clean Water Act (33 U.S.C. 1341);
- (2) permits from the department of environmental management for wetland activity in a state regulated wetland under IC 13-18-22; and
- (3) permits from the director of the department of natural resources for a structure, obstruction, deposit, or excavation in a floodway under IC 14-28-1.

Sec. 3. In establishing the program required under section 2 of this chapter, the agencies shall do the following:

- (1) Determine:
 - (A) how to inform a person who proposes to perform wetland work of the need to seek a permit for the wetland work; and
 - (B) how to ensure that a person proposing to perform wetland work is informed of every permit the person needs in order to do the wetland work.
- (2) Change the:
 - (A) application forms; and
 - (B) application processes;
 used by the agencies for purposes of permits as necessary to ensure that a person proposing to perform wetland work is not required to provide the same information separately to both agencies.
- (3) Determine how one (1) agency will serve as the single point of contact for applicants for purposes of:
 - (A) distributing and receiving permit applications;
 - (B) obtaining information needed to complete the processing of permit applications; and
 - (C) issuing permits.
- (4) Create an internal process to ensure that the appropriate office within each agency receives and timely reviews each permit application.
- (5) Ensure that the processing of each permit application is monitored."

Page 3, delete lines 1 through 19.

(Reference is to HB 1217 as printed January 24, 2014.)

LEHE

Motion prevailed. The bill was ordered engrossed.

House Bill 1237

Representative Soliday called down House Bill 1237 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1237-1)

Mr. Speaker: I move that House Bill 1237 be amended to read as follows:

Page 69, line 22, delete "One dollar and seventy-five cents (\$1.75)" and insert "**Two dollars (\$2)**".

Page 69, line 26, delete "twenty-five cents (\$1.25)" and insert "**seventy-five cents (\$1.75)**".

Page 69, line 28, delete "twenty-five cents (\$4.25)" and insert "**seventy-five cents (\$4.75)**".

Page 69, line 31, delete "five dollars and fifty cents (\$5.50) and insert "**six dollars and fifty cents (\$6.50)**".

Page 74, line 26, delete "six" and insert "**ten**".

Page 74, line 27, delete "(\$6)." and insert "**and fifty cents (\$10.50)**".

Page 74, delete lines 28 through 38, begin a new line block indented and insert:

"(1) **Seventy-five cents (\$0.75) to the motor vehicle highway account.**

(2) **One dollar (\$1) to the state motor vehicle technology fund.**

(3) **One dollar (\$1) to the crossroads 2000 fund.**

(4) For a motorcycle endorsement validated before July 1, 2019, as follows:

(A) **One dollar and twenty-five cents (\$1.25) to the integrated public safety communications fund.**

(B) **Six dollars and fifty cents (\$6.50) to the commission fund.**

(5) For a motorcycle endorsement validated after June 30, 2019, seven dollars and seventy-five cents (\$7.75) to the commission fund."

Page 75, line 23, delete "Fifty cents (\$0.50)" and insert "**Seventy-five cents (\$0.75)**".

(Reference is to HB 1237 as printed January 24, 2014.)

SOLIDAY

Motion prevailed. The bill was ordered engrossed.

Representative Behning was excused.

House Bill 1241

Representative Carbaugh called down House Bill 1241 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1241-3)

Mr. Speaker: I move that House Bill 1241 be amended to read as follows:

Page 1, line 6, after "policy" insert "**that is issued or renewed**".

Page 1, delete lines 7 through 16, begin a new paragraph and insert:

"Sec. 2. When used in a liability insurance policy that does either of the following, the term "pollutant" must be construed to have the meaning set forth in section 3(a) of this chapter:

(1) The liability insurance policy does not define the term "pollutant".

(2) The liability insurance policy defines the following terms as follows:

(A) "**Pollutant**" to include any solid, liquid, gaseous, or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals, and waste.

(B) "**Waste**" to include materials to be recycled, reconditioned, or reclaimed."

Page 2, line 4, delete "agent or substance," and insert "**irritant or contaminant,**".

Page 2, line 29, delete "a material that is" and insert "**materials**".

Page 2, line 31, delete ":".

Page 2, line 32, delete "(1)".

Page 2, line 33, after "insured" insert "**of the substances for which coverage is excluded**".

Page 2, line 33, delete "; and" and insert ".".

Page 2, run in lines 31 through 33.

Page 2, delete line 34.

Page 2, line 35, delete "agent or a substance" and insert "**irritant or a contaminant**".

Page 2, line 35, delete "3" and insert "**3(a)**".

Page 3, line 2, delete "3" and insert "2".

Page 3, after line 3, begin a new paragraph and insert:

"Sec. 6. (a) This section does not apply to an insurer that defines "pollutant" in a manner different from the manner specified in section 2 of this chapter.

(b) An insurer that defines "pollutant" as specified in section 2 of this chapter and excludes or restricts coverage for pollutant related claims under a liability insurance policy shall, when the policy is issued or renewed, provide to the named insured written notice of the applicability of this chapter.

(c) If an insurer fails to provide notice as required by subsection (b), the following apply:

- (1) The insurer may be subject to administrative action by the department of insurance for a violation of subsection (b).
- (2) The terms, conditions, or coverage under the liability insurance policy to which the notice applies are not affected by the failure."

(Reference is to HB 1241 as printed January 17, 2014.)

CARBAUGH

Motion prevailed.

HOUSE MOTION
(Amendment 1241-1)

Mr. Speaker: I move that House Bill 1241 be amended to read as follows:

Page 3, after line 3, begin a new paragraph and insert:

"Sec. 6. (a) An insurer that excludes coverage as described in section 3 or 5 of this chapter shall provide to the policyholder written notice that the coverage is excluded.

(b) Written notice provided under subsection (a) is not effective until the policyholder acknowledges the notice in writing or electronically."

(Reference is to HB 1241 as printed January 17, 2014.)

DELANEY

Upon request of Representatives Niezgodski and Porter, the Speaker ordered the roll of the House to be called. Roll Call 52: yeas 29, nays 64. Motion failed. The bill was ordered engrossed.

House Bill 1242

Representative Carbaugh called down House Bill 1242 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1286

Representative Sullivan called down House Bill 1286 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1286-1)

Mr. Speaker: I move that House Bill 1286 be amended to read as follows:

Page 6, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 7. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "department" refers to the Indiana department of transportation established under IC 8-23-2-1.

(b) As used in this SECTION, "winter season" refers to the period beginning December 21, 2013, and ending March 20, 2014.

(c) The department shall conduct an assessment of the department's winter season activities on the interstate highways subject to the department's jurisdiction. The assessment must include the following information:

- (1) The aggregate number of hours that one (1) or more interstate highways were closed during the winter season.
- (2) A comparison of the number of hours identified under subdivision (1) to the aggregate number of hours that one (1) or more interstate highways were closed during each of the comparable periods in 2010-2011, 2011-2012, and 2012-2013.
- (3) The aggregate number of tons of salt and other deicing agents applied to the interstate highways during the winter season.
- (4) A comparison of the number identified under subdivision (3) to the aggregate number of tons of salt and other deicing agents applied to the interstate highways during each of the comparable periods in 2010-2011, 2011-2012, and 2012-2013.

(5) The aggregate amount of money spent on salt and other deicing agents for application to the interstate highways during the winter season.

(6) A comparison of the amount identified under subdivision (5) to the aggregate amount of money spent on salt and other deicing agents for application to the interstate highways during each of the comparable periods in 2010-2011, 2011-2012, and 2012-2013.

(7) The number of fatalities occurring on the interstate highways during the winter season.

(8) A comparison of the number identified under subdivision (7) to the number of fatalities occurring on the interstate highways during each of the comparable periods in 2010-2011, 2011-2012, and 2012-2013.

(9) Specific recommendations on improvements to the department's policies and procedures to ensure that the interstate highways will remain open and safe for travel in future winters.

(10) Any other information concerning the department's winter season activities or its policies and procedures related to winter maintenance of the interstate highways that the department considers essential to report.

(d) The department shall post the assessment required by this SECTION on the Indiana transparency Internet web site established under IC 5-14-3.5 before July 1, 2014.

(e) This SECTION expires January 1, 2015."

Renumber all SECTIONS consecutively.

(Reference is to HB 1286 as printed January 24, 2014.)

PORTER

Motion failed. The bill was ordered engrossed.

House Bill 1336

Representative T. Brown called down House Bill 1336 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1336-1)

Mr. Speaker: I move that House Bill 1336 be amended to read as follows:

Page 2, line 12, after "(d)" insert "The executive director shall submit the name of the individual whom the executive director would like to appoint as state EMS director to the Indiana emergency medical services commission created by IC 16-31-2-1. The commission may, by a majority of the members, vote not later than thirty (30) days after the submission on whether to approve the appointment. If the commission:

- (1) does not take any action; or
- (2) by a majority of the commission votes to approve the appointment of the individual;

not later than thirty (30) days after, the appointment shall become effective. If a majority of the commission votes not later than thirty (30) days after the submission of the appointment to not approve the appointment, the executive director shall restart the appointment process and submit an alternative individual for appointment.

(e)".

Page 2, line 32, delete "(e)" and insert "(f)".

Page 3, after line 5, begin a new paragraph and insert:

"SECTION 2. IC 16-31-2-8, AS AMENDED BY P.L.77-2012, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. The commission may do the following:

- (1) Develop training and certification standards for emergency medical responders under this article.
- (2) Require emergency medical responders to be certified under the standards developed under subdivision (1).
- (3) Develop reciprocal certification training standards for individuals who have received medical training by a

branch of the United States armed forces.

(4) Not later than thirty (30) days after the executive director of the department of homeland security submits an appointment for state emergency medical services medical director to the commission, vote concerning whether to approve the appointment in accordance with IC 10-19-7-5(d). If the commission votes on the appointment in accordance with IC 10-19-7-5(d), a vote by a majority of the members of the commission is necessary under this subdivision in order to approve or not approve the appointment."
(Reference is to HB 1336 as printed January 21, 2014.)

T. BROWN

Motion prevailed. The bill was ordered engrossed.

House Bill 1346

Representative Leonard called down House Bill 1346 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1346-18)

Mr. Speaker: I move that House Bill 1346 be amended to read as follows:

Page 18, line 30, delete "(c)(1) through (c)(5)" and insert **"(c)(4) and (c)(5)"**.

Page 18, line 32, delete "department." and insert: **"unemployment insurance board."**

(Reference is to HB 1346 as printed January 21, 2014.)
LEONARD

Motion prevailed.

HOUSE MOTION (Amendment 1346-12)

Mr. Speaker: I move that House Bill 1346 be amended to read as follows:

Page 1, delete lines 1 through 15.

Page 2, delete lines 1 through 18, begin a new paragraph and insert:

"SECTION 1. IC 22-4-2-40, AS ADDED BY P.L.12-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 40. (a) As used in this article, "drug test" means a test that contains at least a five (5) drug panel that tests for the following:

- (1) Amphetamines.**
- (2) Cocaine.**
- (3) Opiates (2,000 ng/ml).**
- (4) PCP.**
- (5) THC.**

A drug test described in this section must be performed at a United States Department of Health and Human Services certified laboratory, with specimen collection performed by a collector certified by the United States Department of Transportation and the cost of the drug test paid by the employer.

(b) Notwithstanding a hearsay objection, the department shall admit into evidence a written statement from the laboratory that confirms the results of a positive drug test under this section and IC 22-4-15-2 that includes all of the following:

- (1) That the drug test was performed at a United States Department of Health and Human Services certified laboratory with the specimen collection performed by a collector certified by the United States Department of Transportation.**
- (2) That the employer paid the cost of the drug test.**
- (3) That the individual had a positive drug test under the criteria of this section and IC 22-4-15-2, including the specific test results.**
- (4) That a second test rendering a positive result was performed by a SAMHSA (as defined in IC 22-10-15-3) certified laboratory on the same sample**

used for the first screen test using gas chromatography mass spectrometry.

(5) That a licensed physician reviewed the laboratory results, the individual's medical history, and any other relevant biomedical information.

(6) That a licensed physician confirmed the positive result of the drug test and determined that the individual had no valid medical reason for testing positive for the substance found in the drug test."

Page 2, line 25, strike "and".

Page 2, line 27, after "week" delete "." and insert "; and

(3) is on a vacation period that does not exceed three (3) weeks in length."

Page 2, line 38, strike "and".

Page 3, line 1, after "practice" delete "." and insert "; and

(3) is on a vacation period that does not exceed three (3) weeks in length."

Page 11, delete lines 25 through 42.

Delete pages 12 through 14.

Page 15, delete lines 1 through 22.

Page 15, line 34, after "plans." insert **"However, a payment that is conditional upon the signing of a release limited to wage or back pay claims against the claimant's employer is severance pay and is deductible for those weeks as prescribed by IC 22-4-5-2."**

Page 15, delete lines 35 through 38.

Renumber all SECTIONS consecutively.

(Reference is to HB 1346 as printed January 21, 2014.)
MOSELEY

Upon request of Representatives Pelath and Riecken, the Speaker ordered the roll of the House to be called. Roll Call 53: yeas 28, nays 64. Motion failed.

HOUSE MOTION (Amendment 1346-15)

Mr. Speaker: I move that House Bill 1346 be amended to read as follows:

Page 18, line 1, strike "for".

Page 18, strike lines 2 through 7.

Page 18, line 8, strike "dollars (\$20,000); and" and insert **"to be allocated as follows for training and counseling assistance provided to individuals who have been unemployed for at least four (4) weeks or whose annual income is less than twenty thousand dollars (\$20,000):**

(A) Fifty thousand dollars (\$50,000) for training and counseling assistance provided by a Hometown Plan under 41 CFR 60-4.5:

(i) located in southwest Indiana; and

(ii) approved by the United States Department of Labor, Bureau of Apprenticeship and Training.

(B) The remainder for training and counseling assistance provided by Hometown Plans under 41 CFR 60-4.5:

(i) located in regions other than southwest Indiana; and

(ii) approved by the United States Department of Labor, Bureau of Apprenticeship and Training."

Page 18, line 9, strike "for".

Page 18, strike lines 10 through 16.

Page 18, line 17, strike "Training" and insert **"to be allocated as follows:**

(A) Twenty-five thousand dollars (\$25,000) for training and counseling assistance provided by a Hometown Plan under 41 CFR 60-4.5 located in southwest Indiana to individuals who have been unemployed for at least four (4) weeks or whose annual income is less than twenty thousand dollars (\$20,000).

(B) The remainder for training and counseling assistance provided by the state institution

established under IC 21-25-2-1 to individuals who have been unemployed for at least four (4) weeks or whose annual income is less than twenty thousand dollars (\$20,000) for the purpose of enabling those individuals to apply for admission to apprenticeship programs offered by providers approved by the United States Department of Labor, Bureau of Apprenticeship and Training."

(Reference is to HB 1346 as printed January 21, 2014.)

RIECKEN

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 54: yeas 28, nays 63. Motion failed.

HOUSE MOTION
(Amendment 1346-1)

Mr. Speaker: I move that House Bill 1346 be amended to read as follows:

Page 15, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 12. IC 22-4-17-6, AS AMENDED BY P.L.175-2009, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The manner in which disputed claims shall be presented and the conduct of hearings and appeals, including the conduct of administrative law judges, review board members, and other individuals who adjudicate claims during a hearing or other adjudicative process, shall be in accordance with rules adopted by the department for determining the rights of the parties, whether or not the rules conform to common law or statutory rules of evidence and other technical rules of procedure. **The rules must provide that a claimant for unemployment benefits may be represented in a benefit claim pending before an administrative law judge or the review board by any or all of the following, or any combination of the following:**

(1) In person.

(2) By an individual or individuals designated by the claimant.

(3) By an attorney at law in good standing admitted to the practice of law in the state of residence of the attorney.

(4) By a recognized public accountant.

(5) By an authorized agent of a bona fide labor organization to which the claimant belonged at the time that the appealed issue occurred.

(b) A full and complete record shall be kept of all proceedings in connection with a disputed claim. The testimony at any hearing upon a disputed claim need not be transcribed unless the disputed claim is further appealed.

(c) Each party to a hearing before an administrative law judge held under section 3 of this chapter shall be mailed a notice of the hearing at least ten (10) days before the date of the hearing specifying the date, place, and time of the hearing, identifying the issues to be decided, and providing complete information about the rules of evidence and standards of proof that the administrative law judge will use to determine the validity of the claim.

(d) If a hearing so scheduled has not commenced within at least sixty (60) minutes of the time for which it was scheduled, then a party involved in the hearing may request a continuance of the hearing. Upon submission of a request for continuance of a hearing under circumstances provided in this section, the continuance shall be granted unless the party requesting the continuance was responsible for the delay in the commencement of the hearing as originally scheduled. In the latter instance, the continuance shall be discretionary with the administrative law judge. Testimony or other evidence introduced by a party at a hearing before an administrative law judge or the review board that another party to the hearing:

(1) is not prepared to meet; and

(2) by ordinary prudence could not be expected to have anticipated;

shall be good cause for continuance of the hearing and upon motion such continuance shall be granted."

Page 19, after line 42, begin a new paragraph and insert:

SECTION 19. An emergency is declared for this act.

Renumber all SECTIONS consecutively.

(Reference is to HB 1346 as printed January 21, 2014.)

AUSTIN

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 55: yeas 34, nays 58. Motion failed.

Representative Behning, who was excused, is now present. Representative Messmer is excused.

HOUSE MOTION
(Amendment 1346-2)

Mr. Speaker: I move that House Bill 1346 be amended to read as follows:

Page 19, after line 42, begin a new paragraph and insert:

"SECTION 18. IC 22-6-6 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Right to Work).

SECTION 19. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 1346 as printed January 21, 2014.)

KERSEY

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 56: yeas 33, nays 60. Motion failed.

Representative Messmer, who was excused, is now present.

HOUSE MOTION
(Amendment 1346-3)

Mr. Speaker: I move that House Bill 1346 be amended to read as follows:

Page 19, after line 42, begin a new paragraph and insert:

"SECTION 18. [EFFECTIVE UPON PASSAGE] (a) **The principal clerk of the Indiana house of representatives shall communicate to the United States Congress that the Indiana house of representatives strongly urges the United States Congress to immediately enact legislation to reinstate the federal Temporary Emergency Unemployment Compensation Program.**

(b) This SECTION expires January 1, 2015.

SECTION 19. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 1346 as printed January 21, 2014.)

PRYOR

Upon request of Representatives Pelath and Porter, the Speaker ordered the roll of the House to be called. Roll Call 57: yeas 28, nays 62. Motion failed. The bill was ordered engrossed.

House Bill 1351

Representative McMillin called down House Bill 1351 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1351-6)

Mr. Speaker: I move that House Bill 1351 be amended to read as follows:

Page 9, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 8. IC 12-14-30-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4. Before July 1, 2014, the division shall request federal approval to incorporate provisions for the use of photo identification to verify the identity of a SNAP recipient."**

Renumber all SECTIONS consecutively.
(Reference is to HB 1351 as printed January 24, 2014.)
MCMILLIN

Motion failed.

HOUSE MOTION
(Amendment 1351-2)

Mr. Speaker: I move that House Bill 1351 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning human services and to make an appropriation.

Page 8, between lines 25 and 26, begin a new paragraph and insert:

"Sec. 21. The division shall coordinate with community mental health centers (as defined in IC 12-7-2-38) to provide to individuals who test positive under this chapter, at no cost to the individuals, drug abuse treatment at the community mental health centers.

Sec. 22. (a) The special drug testing litigation defense fund is established for the purpose of providing reimbursement of the costs and expenses incurred by the attorney general in defending the constitutionality of actions taken in the 2014 session of the general assembly in the passage of this chapter.

(b) The fund must be used to defend the constitutionality of actions taken in the 2014 session of the general assembly in the passage of this chapter.

(c) The fund shall be administered by the treasurer of state.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) The expenses of administering the fund shall be paid from money in the fund.

(f) Money to be deposited into the fund consists of the following:

(1) Appropriations made by the general assembly.

(2) Donations, gifts, or grants made by persons for carrying out the purposes of the fund.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund. Money in the fund is continually appropriated.

(h) If judgment is rendered in favor of the plaintiff in a civil action contesting the constitutionality of the general assembly described in subsection (b), the court shall order the following:

(1) The money in the fund shall be used to pay damages awarded to a successful plaintiff.

(2) The attorney general shall provide an accounting of funds expended in defending the constitutionality of actions described in subsection (b)."

Page 8, line 26, delete "21." and insert "23".

Page 9, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 9. [EFFECTIVE JULY 1, 2014] (a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.

(b) The general assembly urges the legislative council to assign to a study committee during the 2014 legislative interim the task of studying:

(1) access to nutritional foods in Indiana; and

(2) challenges relating to accessing nutritional foods in Indiana.

(c) If a study committee is assigned the task described in subsection (b), the study committee shall issue to the legislative council a final report containing the study committee's findings and recommendations, including any recommended legislation concerning the topics, in an

electronic format under IC 5-14-6 not later than November 1, 2014.

(d) This SECTION expires January 1, 2015.

SECTION 10. [EFFECTIVE JULY 1, 2014] (a) There is appropriated to the special drug testing litigation fund established by IC 12-14-5.4-22, as added by this act, for the state fiscal year beginning July 1, 2014, five hundred thousand dollars (\$500,000) from the state general fund for its use in carrying out the purposes of the fund.

(b) This SECTION expires July 1, 2015."

Renumber all SECTIONS consecutively.

(Reference is to HB 1351 as printed January 24, 2014.)

RIECKEN

Representative Torr rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. After discussion, Representative Riecken withdrew the motion.

HOUSE MOTION
(Amendment 1351-7)

Mr. Speaker: I move that House Bill 1351 be amended to read as follows:

Page 8, line 30, delete "pilot" and insert "statewide".

Page 8, line 39, delete "pilot" and insert "statewide".

Page 8, line 40, delete "pilot" and insert "statewide".

Page 8, line 41, delete "pilot" and insert "statewide".

(Reference is to HB 1351 as printed January 24, 2014.)

MCMILLIN

Upon request of Representatives McMillin and Friend, the Speaker ordered the roll of the House to be called. Roll Call 58: yeas 69, nays 22. Motion prevailed. The bill was ordered engrossed.

House Bill 1361

Representative Morrison called down House Bill 1361 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1361-4)

Mr. Speaker: I move that House Bill 1361 be amended to read as follows:

Page 1, delete lines 1 through 16.

Delete page 2.

Page 3, delete lines 1 through 4.

Page 3, line 34, after "1.9." insert "(a)".

Page 4, delete lines 11 through 32, begin a new paragraph and insert:

"(b) A state educational institution that awards a contract under this section to a minority business enterprise may include the contract when assessing the state educational institution's performance in meeting the goal set under section 7 of this chapter."

Page 5, delete lines 4 through 15.

Renumber all SECTIONS consecutively.

(Reference is to HB 1361 as printed January 21, 2014.)

MORRISON

Motion prevailed. The bill was ordered engrossed.

House Joint Resolution 3

Representative Turner called down House Joint Resolution 3 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 3-3)

Mr. Speaker: I move that House Joint Resolution 3 be amended to read as follows:

Page 1, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the

One Hundred Eighteenth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement."

Page 1, line 10, delete "A legal status identical or".

Page 1, delete lines 11 through 12.

(Reference is to HJR 3 as printed January 24, 2014.)

TRUITT

Upon request of Representatives Turner and Pelath, the Speaker ordered the roll of the House to be called. Roll Call 59: yeas 52, nays 43. Motion prevailed. The joint resolution was ordered engrossed.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 84, I move that House Joint Resolution 3 be recommitted to the Committee on Ways and Means with the recommendation that the committee determine the economic impact on the state of Indiana.

BARTLETT

Motion withdrawn.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1013

Representative Morrison called down Engrossed House Bill 1013 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 60: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Banks.

Engrossed House Bill 1047

Representative Lucas called down Engrossed House Bill 1047 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 61: yeas 48, nays 45. The bill failed for lack of a constitutional majority.

Engrossed House Bill 1058

Representative Mayfield called down Engrossed House Bill 1058 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 62: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Walker.

Engrossed House Bill 1059

Representative Lehman called down Engrossed House Bill 1059 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon

its passage. The question was, Shall the bill pass?

Roll Call 63: yeas 81, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Holdman.

Engrossed House Bill 1064

Representative McNamara called down Engrossed House Bill 1064 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 64: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Yoder.

Engrossed House Bill 1123

Representative Thompson called down Engrossed House Bill 1123 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 65: yeas 80, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Walker, R. Young and Holdman.

Engrossed House Bill 1301

Representative VanNatter called down Engrossed House Bill 1301 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 66: yeas 79, nays 15. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Yoder and Arnold.

Engrossed House Bill 1334

Representative Frye called down Engrossed House Bill 1334 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 67: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Crider.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bills 1040 and 1349 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors, and that Representatives Harman, Ober, Smaltz, Washburne and Speedy be added as coauthors of House Bill 1048.

LUCAS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Slager be added as coauthor of House Bill 1065.

CULVER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as coauthor of House Bill 1070.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors, and that Representatives Smaltz, DeVon, Speedy, T. Brown, Mayfield, McNamara and Lucas be added as coauthors of House Bill 1080.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Battles be added as coauthor of House Bill 1098.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1110.

MAHAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative VanNatter be added as coauthor of House Bill 1143.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Heaton and Morrison be added as coauthors of House Bill 1170.

KERSEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1196.

TRUITT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1199.

LEHE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Behning be added as coauthor of House Bill 1210.

MOED

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bosma be added as coauthor of House Bill 1213.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative T. Brown be added as coauthor of House Bill 1237.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morris be added as coauthor of House Bill 1299.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1300.

LEHE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Forestal be added as coauthor of House Bill 1334.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frye, Klinker and Forestal be added as coauthors of House Bill 1336.

T. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Riecken and M. Smith be added as coauthors of House Bill 1343.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as coauthor of House Bill 1385.

SPEEDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives McNamara and DeLaney be added as coauthors of House Bill 1389.

OBER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as coauthor of House Bill 1390.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bauer be added as coauthor of House Bill 1402.

DERMODY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative VanNatter be added as coauthor of House Bill 1423.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Richardson, Errington and Macer be added as coauthors of House Concurrent Resolution 14.

RIECKEN

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 4, 5 and 9 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 10, 11 and 14 and the same are herewith returned to the House.

JENNIFER L. MERTZ

Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Cox, the House adjourned at 6:55 p.m., this twenty-seventh day of January, 2014, until Tuesday, January 28, 2014, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives